

OJP

Grants To Encourage Arrest Policies and Enforcement of Protection Orders Program

Fiscal Year 2001 Application & Program Guidelines for Indian Tribal Governments

*Letter of Intent
Deadline: March 7, 2001*

*Application
Deadline: March 28, 2001*

**U.S. Department of Justice
Office of Justice Programs**
810 Seventh Street, N.W.
Washington, D.C. 20531

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Office of Justice Programs
World Wide Web Homepage:
<http://www.ojp.usdoj.gov>

Violence Against Women Office
World Wide Web Homepage:
<http://www.ojp.usdoj.gov/vawo>

Grants to Encourage Arrest Policies and Enforcement of Protection Order Program Application
World Wide Web Homepage:
<http://www.ojp.usdoj.gov/fundopps.htm>

February 14, 2001

Dear Colleague,

This year the Office of Justice Programs (OJP) requires you to submit your application for funding through the OJP **Grants Management System (GMS)**. Access through the Internet to this online application system will expedite and streamline the receipt, review, and processing of your request for funding.

Please use the enclosed application guidelines to assist you in preparing your new or continuation application. Applications must be submitted to OJP electronically through the GMS no later than March 28, 2001, however, VAWO will **immediately be accepting GMS electronic submission of applications**.

To learn how to begin your online application process, please see the *Quick-Start Guide to Using GMS* in the enclosed package. A toll-free telephone number has been established for you to receive technical assistance as you work through the online application process, 1-888-549-9901.

You may contact Marylouise Kelley at (202)616-0530 or Krista Blakeney-Mitchell at (202) 305-2651, the Violence Against Women Office Program Administrators for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders, if you have any *programmatic* questions. We look forward to receiving your application.

Violence Against Women Office

enclosure

Letter of Intent

All applicants, including current grantees, intending to apply for this funding are encouraged to **submit the non-binding letter of intent** included in Appendix A to the Violence Against Women Office (VAWO) by **March 7, 2001**. You may fax the letter to VAWO at (202) 354-4185. We will use these letters to forecast the number of peer review panels needed to review competitive applications.

Please note that final applications, are due March 28, 2001, **and will be accepted only through the Office of Justice Program's online Grants Management System (GMS)**. *In addition, applicants must register online at least two weeks prior to the application deadline. It may take up to one week for you to receive confirmation that you are eligible to apply.* Applications sent by fax or mail will **not** be accepted. See *How to Apply*, page 23, for more information.

FY 2001 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program Application Checklist

A completed application will include items submitted on the Internet through the Office of Justice Programs (OJP's) Grants Management System (GMS), as well as items faxed to OJP. Please use this checklist to ensure that your application is complete.

Step One: Submit the following information online through GMS:

See Quick-Start Guide

- G Application for Federal Assistance (SF-424)
Note: Applicants submit online.
- G Certifications/Assurances
Note: Applicants will "sign off" on these assurances and certifications electronically through GMS.
- G Project Narrative
Note: Submit online as an attachment.
- G Budget Narrative
Note: Submit online as an attachment, and include the Budget Detail Worksheet as part of this attachment.
- G Other Program Attachment
Note: Submit online as an attachment.

Step Two: Fax the following required documents:

These documents are not included in GMS and must be faxed to OJP as part of your application. Documents must be faxed to both 202/354-4185 and 202/354-4147.

Important: Please include the Program title of the VAWO Program to which you are applying, the Grants to Encourage Arrest Policies Program, and your GMS application number on each page of each document. If applicants have electronic versions of any of these documents, please submit them online as an "Other Program Attachment."

- G Memorandum of Understanding
- G Letter of nonsupplanting
- G Indirect Cost Agreements, if applicable
- G Letter (s) of Support
- G Certification of Compliance

IMPORTANT: Due Date

All materials must be received by 5:30 pm (EST) on March 28, 2001.

Please Note: Applicants who have never registered with GMS must register online at least two-weeks prior to the application deadline. It may take up to one week for you to receive confirmation that you are eligible to apply. Applicants who have previously registered with GMS and have a GMS password should log on to GMS at least two weeks prior to the application

deadline to determine that the password is still valid. If your password has expired follow the on-screen instructions or call the GMS helpdesk at 1-888-549-9901.

Table of Contents

Background	1
Scope of Program	3
A. Authorized Program Purposes	3
B. Special Interest Categories	4
Eligibility for Awards	8
A. Eligible Grantees	8
B. Certification of Eligibility	8
C. Award Priority	8
D. Type of Applicants	9
Application Guidelines	9
A. Impact of Current and Prior Efforts to Prevent and Reduce Domestic Violence	9
B. Coordination With Other OJP Bureaus, Program Offices and Other Federal Agencies	10
C. Coordination with Nonprofit, Non-Governmental Domestic Violence Programs	10
D. Award Amount	12
E. Length of Grant Period	12
Review Process	12
Selection Criteria	12
Application Content	14
A. Application for Federal Assistance (SF-424)	14
B. Project Narrative	14
C. Budget and Budget Narrative	16
D. Memorandum of Understanding	18
E. Certifications and Assurances Regarding Arrest Policies	18
F. Assurances	19
G. Non-Supplantation Letter	19
Administrative Requirements	19

A.	General Requirements	19
B.	Financial Requirements	20
Reporting Requirements		21
A.	Progress Reports	21
B.	Financial Status Reports	21
How to Apply		21

Appendices

Appendix A	Letter of Intent
Appendix B.	Quick Start Guide
Appendix C	Sample Memorandum of Understanding
Appendix D	Standard Application Form
Appendix E	Budget Detail Worksheet and Sample Budget
Appendix F	Assurances (Form 4000/3)
Appendix G	Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-free Workplace Requirements
Appendix H	Sample Nonsupplanting Letter
Appendix I	Single Points of Contact

Background

The Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program encourages jurisdictions to implement mandatory or pro-arrest policies as an effective domestic violence intervention that is part of a coordinated community response to the problem. The Program assumes that the arrest of a batterer will leverage the coercive and persuasive power of the criminal justice system to ensure victim safety and lead to close judicial scrutiny and management of the behavior of batterers.

Historically, violence against women¹ was not tolerated by Indian nations.² Yet, in recent years, research has shown that violence against women is widespread, and that violence against native women is particularly

common.³ However, the criminal justice system generally has treated domestic violence as a private, family matter. Only in the past two decades has spouse and partner violence been acknowledged as a crime requiring the full force and attention of the criminal justice system. This transformation occurred largely as a result of the efforts of advocates for victims of domestic violence who worked within their own communities to ensure that abused women were accorded the same legal protections as other crime victims. Advocates--and their partners in the criminal justice system--sought vigorous enforcement of existing laws and enactment of new, stronger laws to address domestic violence. Today, many Indian nations have taken a proactive stance by passing modern domestic violence codes and aggressively prosecuting violence against women.

In addition, in recent years, many tribal police departments have implemented policies and practices that encourage or mandate warrantless arrest of a perpetrator of domestic violence based on probable cause or for violating a protection order. Federal law also requires all states to honor certain protection orders issued by other jurisdictions, including orders issued by tribal jurisdictions.

The complex dynamics of domestic violence demand that police officers receive training and focus on victim safety. Some mandatory or pro-arrest policies direct responding officers to arrest the primary aggressor in a domestic violence incident. These policies diminish the likelihood of dual arrest, which trivializes the seriousness of domestic violence and potentially increases danger to victims. Most importantly, arrest of the batterer conveys a message to the victim, the family, and the community that domestic violence is a serious crime that will not be tolerated.

Mandatory or pro-arrest policies also offer the potential benefit of deterring future abuse if the offender is separated from the victim and held publicly accountable for the violence. Research indicates that arresting perpetrators can be a strong deterrent, even without a

¹ Although both women and men may be victims of domestic violence, sexual assault, and stalking, women are the victims of the vast majority of these crimes. According to the Bureau of Justice Statistics, more than 85% of violent victimizations by intimate partners between 1993 and 1998 were perpetrated against women. Women are between 13 and 14 times more likely than men to be raped or sexually assaulted. For instance, in 1994, 93% of sexual assaults were perpetrated against women. Four of five stalking victims are women. **Moreover, the study indicated that Indian women are victimized at a rate higher than any other group in the United States, including a rape/sexual assault victimization rate more than twice as high as the rate for Black women and more than three and a half times higher than the national rate.** Data on male victimization do not document comparable victimizations and injury levels, do not account for women who act in self defense, and do not measure financial control, intimidation, and isolation used by perpetrators of domestic violence against women. For these reasons, this application kit may refer to victims as women and perpetrators/batterers as men. However, applicants who receive grants under this program must serve all victims regardless of gender.

² Valencia-Weber, Gloria and Christine P. Zuni, *Domestic Violence and Tribal Protection of Indigenous Women in the United States*, Saint John's Law Review, Winter-Spring 1995, p. 69.

³ Tjaden, P., & Thoennes, N., *Prevalence, Incidence and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey*, Research in Brief, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, November, 1998, NCJ 172837.

conviction.³ Arrest, accompanied by a thorough investigation and meaningful sanctions, demonstrates to offenders that domestic violence is a serious crime and communicates to victims that they do not have to endure the offender's abuse. Moreover, arrest of the offender sends a broader public message -- that violent behavior, even between intimates, is criminal.

For arrest to be an effective domestic violence intervention, it must be a part of a coordinated community response to the problem and it must leverage the power of the entire criminal justice system. Arrest must be followed by immediate arraignment and a thorough investigation.

Orders of protection must be consistently enforced. Cases must be vigorously prosecuted. Designated dockets must be created to enhance the management of domestic violence cases and to expedite the scheduling of trials. The violent behavior of domestic violence offenders must be managed through frequent judicial oversight and the use of graduated sanctions. Perpetrators of domestic violence require intense supervision. Probation and parole agencies must develop strategies for closely monitoring offenders and strictly enforcing the terms and conditions of probation or parole.

At each juncture in the criminal justice process, the actions of all partners in the tribal government system, including prosecutors, law enforcement officers, victim advocates, probation officers, and judges, should be guided by concerns for victim safety. Mechanisms should be put in place to allow the voices and experiences of victims of domestic violence, particularly those who have sought assistance from the criminal justice system, to inform the development of policies, protocols, procedures, and programs of the tribal government system. Criminal justice agencies must collaborate together and enter into respectful partnerships with victim advocates from nonprofit, nongovernmental domestic

violence programs whenever possible, including tribal or local shelters, advocacy organizations and domestic violence coalitions to ensure that victim safety is a paramount consideration in the development of any strategy to address domestic violence. Additionally, representatives from criminal justice agencies working to prevent and reduce domestic violence must have a clear understanding of the roles of governmental and nongovernmental victim assistance programs and they must be able to distinguish how they are different.

Both governmental and nongovernmental victim advocates provide critical personal support to victims and assist them with safety planning. They both may provide information about their jurisdiction's criminal justice system, local resources and services, and they may refer victims to local programs or shelters for battered women.

The most important distinction between governmental and nongovernmental advocacy is that the communications between a governmental victim advocate and a victim are *not* confidential. Although governmental victim advocates are certainly concerned with the safety of the victim, they are generally obliged by law or policy to inform law enforcement, the prosecution or the court of anything the victim tells them that might contribute to the investigation or prosecution of her case. Unfortunately, when information from the victim is shared with the prosecution, the defense (and therefore the batterer) may have access to this information as well. The batterer may learn inadvertently of the victim's location and may respond with additional or escalated violence.

Independent advocates working for nonprofit, nongovernmental agencies--including shelters, law school clinics, legal service agencies for victims of domestic violence or other local domestic violence programs--often do many of the same things that governmental advocates do, but they tend to work with victims on a long-term basis. They may be located in a governmental agency (e.g., a tribal police department, a tribal prosecutor's office or a tribal court) but because they are employees of nonprofit, nongovernmental agencies, they maintain their independence and can adhere to their own internal policies of confidentiality. Communications with attorney advocates are almost always privileged and confidential.

³ Hart, Barbara J., *Domestic Violence Intervention System: A Model for Response to Woman Abuse*, (Downloaded from the Internet: www.umn.edu/mincava/hart/dvinter.htm), p. 1 of 12.

Independent advocates often assist victims with safety planning over time and their ultimate goal is to enhance victim safety as well as the personal well-being, agency and autonomy of each victim. They may counsel victims on personal and legal issues, and refer them to liaison organizations for emergency shelter, comprehensive health services, educational services, and legal or community services. They may connect victims with other advocates or survivors who can provide much needed support. They may assist in acquiring a protection order, accompany victims to court on multiple occasions and provide legal assistance and representation when necessary. Independent legal advocates also may provide the prosecutor with assistance in preparing a case at the request of their clients. Legal advocacy activities also may include helping the court to craft sanctions, helping the victim obtain economic support, and assisting in creating safe visitation arrangements.

Finally, the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program challenges all components of a tribal government to work together to craft solutions to overcome the problem of domestic violence. It challenges the entire community to listen, communicate, identify problems, share ideas that will result in new responses to ensure victim safety and offender accountability.

Scope Of Program

For FY 2001, Congress appropriated \$33 million for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, of which \$1.6 million is required to be set-aside for awards to Indian Tribal Governments.⁴ A portion of

⁴ Any Indian tribe, band, nation, or other organized group or community, including Alaska native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act..., which is recognized as eligible for the special programs and services provided by the United States to Indians because of

the funds provided under this Program has been set aside to provide technical assistance to tribal grantees.

A. Authorized Program Purposes

Ensuring victim safety and offender accountability are the guiding principles underlying the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. The Violence Against Women Act of 2000 directs that the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program be used to:

- ❑ **Implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs or pro-arrest programs and policies for protection order violations;**
- ❑ **Develop policies, educational programs, and training programs in police departments to improve tracking of cases involving domestic violence and dating violence;**
- ❑ **Centralize and coordinate police enforcement, prosecution, probation, parole and/or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, probation and parole officers or judges;**
- ❑ **Coordinate computer tracking systems to ensure communication between police, prosecutors, parole and probation officers and both criminal and family courts;**
- ❑ **Strengthen legal advocacy service programs for victims of domestic violence, including strengthening assistance to such victims in immigration matters;**

their status as Indians. *Indian Self Determination and Education Assistance Act* (25 U.S.C. 450b(e)).

- ❑ **Educate judges in criminal and other courts, including juvenile courts, about domestic violence and to improve judicial handling of such cases.**
- ❑ **Provide technical assistance and computer and other equipment to police departments, prosecutors, courts, and tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdictions, and enforcement between tribal jurisdictions.**
- ❑ **Develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals⁵ and individuals with disabilities.⁶**

B. Special Interest Categories

In Fiscal Year 2001, OJP is interested in funding Indian tribal governments that have implemented--or plan to implement--promising approaches that respond to domestic violence as a serious violation of criminal law within the Special Interest Categories set forth below. The following list does not imply any ordering of priorities among categories:

1. Enforcement of protection orders and implementation of the full faith and credit provision of the Violence Against Women Act;
2. Community policing to reduce and prevent violence against women;

⁵ As defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

⁶ As defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)).

3. Partnerships between the business community and the criminal justice system to enhance the safety of women in the community;
4. Initiatives within police departments to address the problem of police officers who are perpetrators of domestic violence; and
5. The development and implementation of coordinated initiatives to address incidents of stalking occurring in a domestic violence context.

Although applications that address any of the statutory Program Purposes outlined above are eligible for funding in Fiscal Year 2001, OJP is especially interested in supporting tribal projects which also address these Special Interest Categories. Applicants are required to collaborate with *nonprofit, nongovernmental domestic violence programs or, if such a group does not serve the local community, with an advocacy group with experience working with victims of domestic violence in the community to be served.*

1. Enforcement of protection orders and implementation of the full faith and credit provision of the Violence Against Women Act.

The Office of Justice Programs is interested in supporting an array of new projects, or expansions of existing efforts, that promote innovative, collaborative strategies for the inter- and intra-state and tribal enforcement of protection orders and the effective implementation of the full faith and credit provision of the Violence Against Women Act.

Prior to the enactment of the Violence Against Women Act, victims who obtained a protection order from their home state or tribe often could not rely on that order as a basis for protection if they worked, traveled or moved to most other states or tribes. Under the Violence Against Women Act, victims may now expect enforcement of a valid foreign order in the new jurisdiction.

Although there is no universal approach to the effective implementation of the full faith and credit provision of the Violence Against Women Act, State and tribal law enforcement agencies, courts, prosecutors, nonprofit, nongovernmental domestic violence programs,

and private attorneys are encouraged to collaborate on efforts and strategies designed to bolster the enforcement of protection orders across jurisdictions. To further enhance the cross-jurisdictional safety of domestic violence victims, any registry developed or enhanced through the Grants to Encourage Arrest Policies and Enhancement of Protection Orders Program must be compatible with the National Crime Information Center (NCIC) Protection Order File. **Additionally, any arrangements, equipment, facilities, and procedures used for the receipt, storage, interagency exchange or dissemination, and/or analysis of criminal intelligence information throughout the project must comply with 28 CFR Part 23, Criminal Intelligence Systems Operating Policies.**

Indian tribal governments are strongly encouraged to collaborate on the development of projects that promote cross-jurisdictional enforcement of protection orders through a variety of means, including, but not limited to:

- the sponsorship of regional or multi-tribes full faith and credit workshops for relevant stakeholders;
- the creation or expansion of tribal or regional protection order registries;
- the linkage of currently operating protection order registries throughout a region or tribal consortium;
- the development and adoption of uniform protection order forms;
- the provision of specialized, cross-jurisdictional training for teams of judges, police officers, prosecutors, probation officials and victim advocates;
- the creation or enhancement of local, inter- or intra-State and tribal communication and case tracking systems to assist law enforcement in determining if there is an outstanding order of protection against an offender, whether the offender has previously been arrested for assaulting the victim or another victim, or if charges are pending against the perpetrator for prior alleged domestic violence; and the creation or enhancement of management information systems to provide

prosecutors and judges with access to case information on prior arrests or convictions for domestic violence, prior issuance of protection orders, other matters involving the same family pending before the court, and the current availability of resources and services for the victim.

2. Community policing to reduce and prevent violence against women.

In their continuing attempts to find effective strategies to prevent and reduce domestic violence, many tribal police departments are implementing innovative community policing approaches. Advocates for community policing and battered women agree that a community policing approach to domestic violence must be a joint endeavor between law enforcement and victim advocates. Community policing methods redefine the role of police officers, encouraging stronger relations between police officers and the communities they serve and a more creative approach to solving crime. This emphasis on enhanced involvement on both sides fosters trust and communication to strengthen the early identification and response to domestic violence. Effective community policing to prevent domestic violence demands vigorous enforcement of the law and requires a commitment to deploy the necessary departmental resources for addressing domestic violence swiftly and effectively. Through community policing programs, police departments can implement early intervention strategies and establish coordinated community responses to domestic violence in partnership with nonprofit, nongovernmental victim services agencies as well as other community organizations.

OJP is committed to the application of community policing to assist in overcoming domestic violence and is interested in the development of local initiatives that:

- create stronger relationships and respectful partnerships between the tribal police and advocates for victims of domestic violence, shelters and other nonprofit, nongovernmental victim services agencies;
- encourage the tribal police, victim advocates for abused women, community residents and representatives from other

- criminal justice agencies to work collaboratively to develop innovative, more effective responses to domestic violence which will enhance victim safety and quality of life;
- develop creative, innovative education and training programs for community policing officers on the complex dynamics of domestic violence and the tactics of batterers;
- develop creative, innovative education and training programs for victim advocates and other community representatives on the principles and theories that guide community policing and the application of problem solving to domestic violence; and
- develop local initiatives in partnership with victim advocates that apply community policing strategies--particularly problem-solving--to reduce the incidence of domestic violence, hold perpetrators of domestic violence accountable for their criminal behavior, break the cycle of violence and assist victims in their pursuit of safety, agency and autonomy.

3. Partnerships between the business community and the criminal justice system to enhance the safety of women in the community.

Domestic violence is not simply a matter between two people. It is a serious problem which affects the entire community. Even the workplace can be an unsafe place for abused women. A victim of domestic violence may elude her abuser by moving to a shelter or an undisclosed location. However, if she is employed, the perpetrator can almost always find her if he knows where she works.

OJP is interested in supporting community-based domestic violence projects that bring together multi-disciplinary teams composed of representatives from law enforcement, prosecution, domestic violence programs, chief executive officers of local businesses, corporate security organizations,

employee assistance professionals, lawyers representing corporations and human resource professionals and others to:

- develop model protocols to ensure the safety of domestic violence victims in the workplace;
- train local business leaders on the tactics of men who batter, the complex dynamics of domestic violence and the relationship between domestic violence, stalking and workplace violence;
- establish formal linkages between businesses and community policing units to institutionalize problem-solving techniques that will lead to the prevention of violence against women in the workplace; and
- sponsor community forums designed to bring local business and criminal justice system leaders and community members together to address the problem of domestic violence and the workplace.

4. Initiatives within police departments to address the problem of police officers who are perpetrators of domestic violence.

Domestic violence occurs in virtually all segments of our society, including intimate relationships involving police officers. The presence of domestic violence in the personal lives of police officers influences the way they respond to domestic violence and undermines the credibility of the police department. The ability of departmental leadership to effectively enforce mandatory or pro-arrest laws and policies may suffer, along with their credibility. To counteract this problem, some departments have adopted internal protocols and policies governing the appropriate departmental response to police officers who are batterers. However, many jurisdictions have no such procedures in place. Too often, when responding to a domestic violence call involving a colleague, police officers will abandon written domestic violence policy and look the other way. Law enforcement leaders acknowledge that this problem exists in the police community and are seeking ways to demonstrate through policy and actions that domestic violence is a crime that must be responded to swiftly and appropriately, even if the perpetrator is a fellow police officer. Because domestic violence involving police

officers affects the entire agency--and the community as well, it is important that all officers, not just managers and supervisors, understand the tactics of batterers and the complex dynamics of domestic violence so that they are equipped to take appropriate action.

Therefore, OJP encourages tribal governments to submit applications that propose effective policies and protocols that respond to officers who commit domestic violence. OJP is interested in supporting law enforcement initiatives that:

- involve collaborative relationships between tribal police departments and local victim advocates to establish formal departmental policy, including post-incident arrest and investigation procedures, to address early intervention and an immediate response to domestic violence incidents that involve a police officer;
- implement partnerships between tribal police departments and local shelters for victims of domestic violence to develop protocol and procedures that enable victims to report domestic violence by a police officer without further jeopardizing their safety;
- provide mandatory education and training to all tribal police officers on the complex dynamics of domestic violence and the tactics of batterers so that they are better equipped to respond when the batterer is a police officer;
- enlist, as consultants to the tribal police, trained experts with a sophisticated understanding of the tactics of batterers and experience in facilitating groups that hold batterers accountable for their violent behavior; and
- utilize trained experts who have had substantial experience working with other criminal justice professionals and independent advocates from local domestic violence programs.

5. The development and implementation of coordinated initiatives to address incidents of stalking occurring in a domestic violence context.

Each year more than 1 million women are stalked. Almost 60 percent of these victims are stalked by some type of intimate partner--former or current spouse, former or current cohabiting partner, or current or former date or boyfriend. In addition, there is a strong link between stalking and domestic violence. Approximately 80 percent of the women who were stalked by a current or former intimate reported being physically assaulted by that stalker at some point in the relationship.⁷

OJP is interested in receiving proposals for developing policies, protocols, and projects to address stalking in domestic violence cases. OJP seeks to fund programs that demonstrate a commitment to aggressive case management by implementing coordinated approaches that require thorough investigations, early intervention, vigorous prosecution, frequent judicial oversight, and close supervision in stalking cases to reduce the risk of injury to the victim. Specifically, applicants may submit proposals for the development and implementation of one or more of the following strategies:

- the establishment of vertical case management systems within police departments and/or prosecutor's offices so that one police officer and/or prosecutor handles the case from the beginning to the end;
- training programs for police officers, prosecutors, and other criminal justice professionals to educate them in identifying and managing stalking cases; and
- the creation of dedicated teams of police officers, prosecutors, court personnel, and/or parole and probation officers within existing domestic violence units to investigate, monitor, aggressively arrest and prosecute offenders for the crime of stalking.

⁷ Tjaden, P. and Thoennes, N. "Stalking in America: Findings from the Violence Against Women Survey." Washington, DC: U.S. Department of Justice, National Institute of Justice and the Centers for Disease Control and Prevention, April, 1998.

Eligibility for Awards

A. Eligible Grantees

Eligible grantees for this Program are **Indian tribal governments, or consortia of Indian tribal governments.** By statute, police departments, pre-trial service agencies, prosecuting attorneys' offices, sheriffs' departments, probation and parole departments, shelters, nonprofit, non-governmental victim service agencies and universities are **not** Indian tribal governments for the purposes of this grant program. These agencies or organizations may administer grant funds and assume responsibility for the development and implementation of the project, but they **must apply through an Indian tribal government.**

B. Certification of Eligibility

To be eligible to receive funding through this Program, applicants must:

(1) certify that their laws or official policies--

(a) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed; and

(b) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protection order;

(2) demonstrate that their laws, policies, or practices and their training programs discourage dual arrests of offender and victim;

(3) certify that their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and

(4) certify that their laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal or local jurisdiction.

Eligible applicants must submit as part of the application a letter signed by the **chief executive officer** of the Indian tribal government certifying to the conditions listed above. If any of these laws, policies, or practices are not pre-existing in the applicant jurisdiction, the Indian tribal government, applying for grant funds must provide assurances that it will be in compliance with these requirements by the date on which the next session of the Indian Tribal legislature ends, or in the case of certification (4), no later than October 28, 2002. Furthermore, the applicant must identify the type of policy that it intends to develop, and specify the process by which the policy will be developed and enacted and the agency or office or group of agencies or offices responsible for developing the law, policy, or practice. **The policy development process should involve a coordinated effort by criminal justice personnel and nonprofit, nongovernmental domestic violence programs, including local shelters, advocacy groups with experience working with victims of domestic violence in the community to be served, and domestic violence coalitions.**

C. Award Priority

The Violence Against Women Act gives priority to applicants that:

- (1) do not currently provide for centralized handling of cases involving domestic violence by police, prosecutors, and courts;
- (2) demonstrate a commitment to strong enforcement of laws, and prosecution of

cases, involving domestic violence, including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);

(3) have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions); and (4) for applicants proposing to further purposes (4) and (7) as set forth on pages 3-4 of the application kit, plan to develop and install data collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts, and tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective.

D. Types of Applicants

In Fiscal Year 2001, OJP's Violence Against Women Office will accept applications for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program from both new applicants and current grantees.

NEW APPLICANTS

New applicants include any jurisdictions that are not currently receiving funds through the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. During Fiscal Year 2001, a limited number of grant awards will be available to new applicants who encourage or mandate arrest of domestic violence offenders as part of a coordinated community response to domestic violence.

CURRENT GRANTEES

Current grantees include Indian tribal governments that have previously received an award through the Grants to Encourage Arrest Policies Program. Current grantees are eligible for continuation grants to support project activities for an extended period of time or for supplemental grants that would expand the scope of current activities. Current grantees are eligible to apply under this solicitation if their official grant end date is prior to June 30, 2002.

Application Guidelines

Applicants are strongly encouraged to consider the following guidelines as they develop their proposals.

A. Impact of Current and Prior Efforts to Prevent and Reduce Domestic Violence

If available, all applicants are encouraged to submit data demonstrating the impact of the tribe's current and prior efforts to prevent and reduce domestic violence. Specifically, OJP is seeking data that include baseline information to illustrate the "before and after" impact of community efforts to combat domestic violence. Comparison data of particular interest to OJP include, but are not limited to, increases or decreases in the number of:

- domestic homicides;
- domestic violence case dismissals;
- 9-1-1 calls;
- recidivism rates;
- conviction rates for domestic violence, sexual assault, and stalking cases;
- protection orders issued;
- services provided for victims of domestic violence and their children; and
- dual arrests.

In all categories, information should be provided, if applicable, on the number of persons served and, if applicable, the number of persons seeking services who could not be served. When submitting this information, applicants are encouraged to identify the funding source that supported the effort, if known. OJP is required by statute to identify projects funded through its

various grant programs, particularly the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, the STOP Violence Against Women Formula Grants Program, the STOP Violence Against Indian Women Program, and the Rural Domestic Violence and Child Victimization Enforcement Grant Program, and the impact these programs are having on preventing and reducing violence against women.

B. Coordination With Other OJP Bureaus, Program Offices and Other Federal Agencies

All applicants should specify additional funding which they currently have or for which they are applying from other OJP Bureaus and Program Offices. These are: the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; the Office for Victims of Crime; the Corrections Program Office; the Drug Courts Program Office and the Executive Office of Weed and Seed. Applicants also are encouraged to provide information on related funding they may be receiving from the Department of Justice's Office of Community Oriented Policing Services and from offices and bureaus in other Federal agencies.

Grant recipients must agree to work in collaboration with contractors providing technical assistance through the Violence Against Women Office. Grant recipients will be asked to identify advocates from local domestic violence programs, law enforcement officers, prosecutors, judges, and other representatives from the criminal justice system and the community to participate in institutes, workshops, and other technical assistance activities or events. As participation in these activities or events often will involve out-of-state travel, applicants are required to include at least \$15,000 (\$25,000 in the case of tribal consortia) in the project budget to support travel costs associated with these activities. This amount should be included in the budget's "Travel" category, accompanied by an estimated number of trips, and broken down into estimated costs

associated with each trip (airfare, lodging, per diem, cab fare, etc.). Additionally, any portion of this amount that would be used to support the travel of nonprofit partners must appear in the "Contracts" category. If this is done, the dollar amount must be designated clearly as travel funds for the nonprofit partners.

C. Coordination with Nonprofit, Nongovernmental Domestic Violence Programs

All applicants are required to enter into formal, respectful collaborations with nonprofit, nongovernmental organizations serving victims of domestic violence, or with an advocacy group with experience working with domestic violence victims in the community to be served.

While there is an important role for *all* victim advocates to play in the creation of a coordinated community response to domestic violence, **the Violence Against Women Act requires the participation of nonprofit, private sexual assault and domestic violence programs.**

This does not preclude applicants from requesting support for governmental victim services, but the budget and budget narrative must distinguish between the two and should include fair compensation for the contributions of nonprofit, nongovernmental victim service agencies. In addition, if funding is requested for *both* governmental and nongovernmental victim assistance and advocacy, the project narrative must provide an explanation of how collaboration will be achieved between these different entities.

In addition, in order to be eligible for funding, victim services programs must meet all of the following criteria:

- Victim services programs must have, as one of their primary purposes, to provide services to victims of domestic violence, sexual assault, dating violence or stalking.

Experts view domestic violence as a pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner. This pattern of behavior may include

physical or sexual violence, emotional and psychological intimidation, threats, verbal abuse, stalking, isolation and economic control. When victims of domestic violence flee from abuse, perpetrators of domestic violence frequently claim to be victims in order to locate their former victims, punish them for leaving, or regain control over victims through legal proceedings. Organizations that claim to assist victims but actually assist perpetrators in regaining control over victims are not eligible for support. Moreover, in cases of dual arrest or cross allegations of abuse, projects must not provide victim services to the primary or predominant aggressor.

- Victim services programs must reflect (e.g. through mission statements, training for all staff, etc.) an understanding that the violence perpetrated against victims is grounded in an abuse of power by offenders, reinforced through intimidation and coercion, sanctioned by traditional societal and cultural norms, and supported by the legal system's historically discriminatory response to domestic violence, sexual assault and stalking crimes.

Victim services programs must have this understanding because existing cultural and legal norms validate perpetrator conduct, compromise victim safety, discourage social support for victims, and perpetuate societal tolerance of the violence. In the context of these norms, perpetrator conduct impedes the liberty and autonomy of victims, creates fear of the perpetrator, causes physical and/or psychological injury, and limits the victim's access to services. The philosophy of victim services programs must reject the use

of violence and intimidation to perpetuate these and other forms of inequality.

- Victim services programs must address a demonstrated need in their communities by providing services that promote the integrity and self sufficiency of victims, improve their access to resources, and create options for victims seeking safety from perpetrator violence.

A lack of services alone does not demonstrate the need for a particular program to be funded. Rather, states should determine whether there is a demonstrated need for the proposed services and whether the applicant would serve a significant number of victims who do not otherwise have access to resources such as safe housing, economic self sufficiency, advocacy and counseling, and culturally appropriate services. Services must be designed to restore victim autonomy and liberty, for example, by assisting victims when perpetrators have denied them access to financial resources such as family income or bank accounts.

Victim services programs must not engage in activities that compromise victim safety. Examples of activities that compromise victim safety include, but are not limited to: mediation, alternative dispute resolution, couples counseling, or any other intervention that implies that both parties are responsible for the perpetrator's violence; failing to respect victim autonomy and decision making; intervention or counseling programs for perpetrators that do not use the coercive power of the criminal justice system to hold them accountable for their behavior, such as anger or stress management programs; and providing perpetrators with confidential information about the whereabouts or activities of victims or their families.

- Victim services programs must consult and coordinate with non-profit, nongovernmental victim services programs including sexual assault and

domestic violence victim services programs.

Applicants must demonstrate that they have consulted and coordinated in a meaningful way with sexual assault and domestic violence victim services programs or coalitions.

D. Award Amounts

There is no specific amount for which eligible jurisdictions may apply, *however, the availability of funding in Fiscal Year 2001 is very limited.* Applicants should carefully consider the resources needed to implement a community-wide project and present a realistic budget that accurately reflects the costs involved *for a 12 month period.* Current grantees should conduct a thorough assessment of their continuation needs.

Budget requests should not exceed \$300,000 for individual tribal governments, or \$900,000 for tribal consortia. Only current grantees may exceed these limits when justified by previous award amounts for a 12 month period.

E. Length of Grant Period

Grant periods and budget requests for all new, continuation or supplemental projects may not exceed 12 months.

REVIEW PROCESS

OJP will convene expert panels to review all applications, using the selection criteria set forth below. Applications that best meet the selection criteria also will be reviewed by OJP staff. Based on the panel recommendations and staff analyses of the applications, applicants may be invited to meet with staff from the

Violence Against Women Office and OJP-designated contractors to further explore the feasibility of their proposed projects and review their current initiatives. The Assistant Attorney General of the Office of Justice Programs will make final funding decisions.

Selection Criteria

All applications will be rated on the basis of the criteria set forth below.

! Jurisdictions must demonstrate, through a Memorandum of Understanding, that a plan for a comprehensive, system-wide, coordinated community response to domestic violence has been adopted and that there is a commitment to establishing or maintaining formal collaboration between nonprofit, nongovernmental domestic violence programs (e.g., local battered women's shelters, advocacy organizations or coalitions), or, if such a program does not serve the community, an advocacy group with experience working with victims of domestic violence in the community to be served and representatives from law enforcement, prosecution, the courts, probation and other criminal justice agencies. **This Memorandum of Understanding must be signed by the leadership of all participating nonprofit, nongovernmental domestic violence programs and criminal justice agencies (e.g., the executive director of the battered women's shelter, the chief of tribal police, the prosecuting attorney, the chief judge of the tribal court or a chief of probation).** (See pages 17-18 of this Application Kit *and the Sample MOU in Appendix C* for a detailed explanation of what is required in the Memorandum

of Understanding.).

- The applicant's proposal must address domestic violence as a serious violation of criminal law through one or more of the eight statutory Program Purposes of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (see pages 3-4 of this Application Kit), particularly as they address one or more of the Special Interest Program Categories (outlined on pages 4-8 of this Application Kit).
- The proposed project demonstrates meaningful attention to victim safety and offender accountability.
- The application describes the impact of current or prior efforts to prevent and reduce domestic violence in the jurisdiction and details the need for the project.
- The project activities are clearly described and reflect sound and innovative strategies to improve victim safety and offender accountability.
- The planning, development and implementation strategy, organizational and staff capability and general time line are clearly described.
- The budget is reasonable, as it relates to proposed project activities.
- The application includes plans to evaluate project effectiveness and to share the results of the project with other jurisdictions that may be interested in adopting similar approaches.

In addition to the criteria set forth above, *current grantees* applying for continuation or supplemental funding also must meet the following criteria:

- Past activities supported with Grants to Encourage Arrest Policies funds have been limited to addressing the problem of domestic violence as defined by Section 2105 of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C., 3796 hh-4(1).⁸
- The grantee has attended, and actively participated in, OJP-sponsored workshops and other technical assistance events required as a Special Condition of the current grant award.
- The grantee has complied with all other Special Conditions of the current grant award.
- The grantee has completed the project goals and objectives according to the approved time line.
- The grantee has demonstrated maximum utilization of available resources and a willingness and ability to continue the project after Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program funds

⁸ The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the eligible State, Indian tribal government, or unit of local government that receives a grant under the Program.

are exhausted.

- The grantee has made timely progress in development or completion of the project products.
- The grantee has complied with the OMB audit requirement.
- The grantee has adhered to programmatic and financial reporting requirements.

Application Content

Under GMS, the SF-424 will be completed online; the project narrative, budget narrative, which includes the budget worksheet, and other program attachments will be submitted online as attachments; and the MOU, letter of nonsupplanting, letter(s) of support, and Certification of Compliance will be submitted by fax (or online under “other program attachments” if applicants have these documents available electronically). A fully executed application, for the purposes of this program, must include the following:

A. Application for Federal Assistance (SF-424)

The SF-424 will be filled out online via the GMS. A sample SF-424 is included in Appendix D for your reference only. The Catalog of Federal Domestic Assistance number for this Program is 16.590, and the title is Grants to Encourage Arrest Policies and Enforcement of Protection Orders Discretionary Grants Program (Block 10). In Block 6 of the SF-424, please list the Employer Identification Number (EIN) of the jurisdiction applying for the grant and not the EIN of the agency directing the project. The

Federal cognizant audit agency and fiscal year of the applicant organization should be listed in Block 11 of the form. Block 18 must be signed by the chief executive officer of the Indian tribal government applying for funds. Applicants must ensure that the information for the authorizing official and alternate contact are filled out correctly. The signing authority is an individual authorized to accept grant funds on behalf of your agency. If the individual applying online is not the signing authority, that individual must list the authorizing official's name and contact information where appropriate. Eligible grantees for this Program are **Indian tribal governments**.

B. Project Narrative

The Project Narrative must be submitted on line via the Grants Management System as an attachment. The Project Narrative should be no longer than necessary but in no case should exceed twelve double-spaced, typed pages on 8 ½ x 11 inch paper. The narrative should include the following:

1. **Need for the Project (not to exceed two pages):** Applicants should submit data, if available, demonstrating the impact of the tribe's current and prior efforts to prevent and reduce domestic violence; identify the population to be served; state why existing programs cannot meet the tribe's needs and how the target population would benefit from the proposed project. In addition, applicants should describe the communities in which they are located. This profile should include descriptions of the size, type (e.g. urban, suburban, or rural), and general population of the community, specifying the traditionally underserved parts of the community to be served. Also, brief descriptions of the types of resources and services

currently available to victims of domestic violence should be included.

2. **What Will be Done (not to exceed four pages):** All applicants should submit a statement describing how the proposed project would assist the tribal government in addressing the identified need, the issues to be addressed during the planning process, and the expected outcomes. The goals should be specifically related to the program purposes and Special Interest Categories to be addressed. Applicants also should outline the specific tasks to be performed and the time line for their completion.

All current grantees requesting supplemental funding to expand current project activities should describe how the additional funds will enhance the existing program and assist the jurisdiction in addressing any changes in the process for implementation.

3. **Who Will Implement the Project (not to exceed two pages):** All applicants must identify the agency/agencies or office(s) responsible for carrying out the project. This section should identify clearly all of the project partners, specifying their respective roles and responsibilities and the collaborative relationship to be developed/enhanced among criminal justice system practitioners, domestic violence victim advocates, and other community services providers. Current grantees should identify any new partners involved in project activities or in administering

the grant.

All applications must include the required Memorandum of Understanding (MOU) (described on page 17 of this Application Kit) as a separate attachment to the application. Signed MOUs must be faxed separately to both the Violence Against Women Office at 202/354-4185 and to 202/354-4147 by the deadline, attention: Grants to Encourage Arrest Program - Indian Tribal Government. All faxes also must be marked with the application number assigned by the GMS system.

Applications submitted on behalf of a consortium of Indian tribal governments, or joint applications from two or more Indian tribal governments must describe fully the relationship among the units of government represented in the application. Also, one Indian tribal government must be designated to receive and administer grant funds and to manage and coordinate all grant activities.

- 4.. **How Success Will be Measured (not to exceed one page):** All applicants should describe the criteria that will be used to evaluate the project's effectiveness. This section should explain how the evaluation would be designed to provide an objective assessment of the effectiveness or impact of the procedures, technology, or services supported with the grant funds. If appropriate, the evaluation process should be designed to provide ongoing or periodic feedback on the effectiveness or utility of particular programs, educational offerings, or achievements, which then could be further refined

during the remainder of the project period.

As a special condition to the award, grantees will be required to collect and maintain data that measure the impact of the jurisdiction's current and prior efforts to reduce and stop violence against women. Specifically, grantees are required to collect data, including baseline information, that illustrate the impact of efforts before and after implementation of any grant-supported strategies. Again, data to be collected include, but are not limited to, the number of 911 calls; arrests; dual arrests; violations of protection orders; prosecutions and dismissals of domestic violence cases; conviction rates; recidivism; services provided for victims of domestic violence and their children; and, domestic homicide rates. Grantees are required to report the number of persons served, if applicable, and the number of persons seeking services who could not be served.

5. **The Products (not to exceed one page):** This section should describe the products that would be generated and how they could be used to assist other jurisdictions that wish to implement mandatory or pro-arrest policies to address domestic violence.

6. **Related Federal projects (not to exceed two pages):** All applicants are requested to provide the following information in their applications:
- active Federal grant awards from OJP Bureaus or Program

Offices, the Office of Community Oriented Policing Services or other Federal agencies already supporting this or related efforts;

- information on any pending application(s) for Federal money for this or related efforts; and
- how these would be coordinated with the funding sought through this application. For each, the program/project title; the Federal grantor agency; the Federal award amount; and a very brief description of its purpose must be included.

This information is requested to encourage better coordination among Federal agencies in addressing tribal needs.

Related efforts is defined for these purposes as for:

- the same purpose (i.e., the proposed award would supplement, expand, complement, or continue activities funded with other Federal grants);
- another phase or component of the same program/project (for example, to implement a planning effort funded by other Federal monies, or to provide a substance abuse treatment or education component within a criminal justice project); and/or
- providing services of some kind (e.g., technical assistance, research, evaluation) to the program/project described in your application.

C. **Budget and Budget Narrative**

Each application must include a detailed budget for the project. The project budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis for the computation of all project-related costs. It should cover the cost of all components of the project and clearly identify costs attributable to the project evaluation. There must be a clear link between the proposed activities and the proposed budget items. In developing the budget, applicants should bear in mind that all partners, private and public, should be compensated fairly for their participation in any project-related activities, including but not limited to compensation for time and travel expenses to attend required technical assistance workshops. **The budget must include compensation for services rendered by all partners including criminal justice agencies and nonprofit, nongovernmental domestic violence programs, e.g. shelters and advocacy organizations.**

All applicants are required to allocate funds (\$25,000 for tribal consortium projects, and \$15,000 for individual tribal governments) to support travel costs associated with technical assistance and capacity building activities (e.g., training institutes, site consultations, audio- and video-conferences) sponsored by OJP-designated technical assistance providers. These funds are to be used **only** for OJP-designated technical assistance unless otherwise approved by the Violence Against Women Office. If awarded, VAWO will provide you with information on approved technical assistance activities.

This required amount of \$15,000 or \$25,000 should be included in the “travel” category. **Please provide an estimated breakdown for this amount(include number of trips, number of**

travelers, airfare or mileage, lodging, per diem, etc.).

Match is not required for this grant program. Applicants are encouraged to maximize the impact of Federal grant dollars by contributing to the costs of their projects. Supplemental contributions may be cash, in-kind services, or a combination of both; however, **do not** include match contributions in the budget, budget narrative, or SF-424 form. Consultant rates in excess of \$450 per day require prior approval by the Violence Against Women -Office. A Budget Detail Worksheet is included in this Application Kit as Appendix E. You will submit your budget and budget narrative online as one attachment under “Budget Narrative”; however, when preparing these items, please use the Budget Detail Worksheet as a guide, including all required budget categories. The budget and budget narrative should describe clearly:

- the proposed amount and uses of grant funds over the grant period and
- how the amounts of the specific budget items were determined.

Applicants should include in their budget narratives detailed justification for all items budgeted, paying particular attention to the impact on or connection to a coordinated community response. Furthermore, applicants must provide assurances that these items will be used primarily to achieve the goals and objectives of the project funded.

In order to maximize the allocation of scarce grant funds, the Violence Against Women Office may eliminate budget items that do not directly affect victim safety and offender accountability. Violence Against Women Office staff will consider all budget requests, *with the exception of:*

- **vehicles**
- **weapons**
- **bullet-proof vests**
- **cameras**
- **law enforcement uniforms**
- **law enforcement uniform**

cleaning

D. Memorandum of Understanding

Each application must include, as an attachment, a Memorandum of Understanding⁹ created and signed by the chief executive officers of all criminal justice agencies and nonprofit, nongovernmental domestic violence programs that will collaborate to plan, develop and implement the project. The Memorandum of Understanding must:

- provide a brief history of the collaborative relationship among the partners, including when and under what circumstances the relationship began and when each partner entered into the relationship;
- specify the extent of each party's participation in developing the application;
- clearly state the roles and

⁹ A coordinated community response to domestic violence can be achieved only when all partners enter into a formal, respectful collaboration. Collaboration should be thought of as the most interactive way of working together while still retaining the separate identities of all the agencies and organizations involved. All parties need to acknowledge that each agency or organization has a special function, a particular authority, and valuable services that it brings to the joint effort. Participants in respectful collaborations bring separate organizations into a new structure with full commitment to a common mission. Such relationships require comprehensive planning and well-defined channels of communication at all levels. The collaborative body determines authority. The risk to each participating agency or organization is greater because each partner contributes its resources and its reputation. Potential imbalance of power always should be addressed and overcome, particularly when high level appointed or elected government officials (or their designees) are asked to participate as equals with representatives from the community, including independent victim advocates affiliated with nonprofit, nongovernmental domestic violence programs. In the end, all partners should jointly secure the resources and share the results and rewards.

responsibilities each organization or agency would assume to ensure the success of the proposed project;

- identify the representatives of the planning and development team who would be responsible for planning, developing and implementing project activities, and describe how they would work together and with project staff;
- indicate approval of the proposed project budget by all signing parties;
- describe the resources each partner would contribute to the project, either through time, in-kind contributions or grant funds (for example, office space, project staff, training).

Letters of support may not be submitted in lieu of the Memorandum of Understanding.

E. Certifications and Assurances Regarding Arrest Policies

All applicants must submit a letter of certification signed by the chief executive officer of the Indian tribal government applying. The letter must certify that:

- the laws or official policies of the jurisdiction encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed;
- the laws or official policies of the jurisdiction encourage or mandate arrests of domestic violence offenders who violate the terms of a valid and outstanding protection order;
- their laws, policies, or practices

and their training programs discourage dual arrests of offender and victim;

- their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and
- their laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction.

Applicants who do not have these laws, policies, or practices currently in place must provide the dates of the next Tribal legislative session and assurances that they will be in compliance by the date on which this session ends or in the case of the last certification requirement, by no later than October 28, 2002.

F. Assurances

Please carefully review the enclosed forms (4000/3), (SF-LLL) and (4061/6) contained in Appendices F and G. By submitting an application through the GMS system, the Indian tribal government agrees to the terms of the assurances and certification forms. Note: If the authorizing official is not the individual submitting the application in the GMS system, be sure the correct authorizing official information has been entered.

G. Non-Supplantation Letter

All applicants must submit a letter certifying that no supplantation of non-Federal funds will take place should a grant award be made. This letter must be signed by a duly authorized government official. A sample Non-Supplantation Letter is contained in Appendix H.

Administrative Requirements

A. General Requirements

Civil Rights Requirements: All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. Specifically, the statute that governs OJP-funded programs or activities (Section 809(c), Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d) prohibits such discrimination, as follows:

No person in any State shall on the ground of race, color, religion, national origin, sex [or

disability]¹⁰ be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title.

If funded, grantees must acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan (if the grantee is required to submit one pursuant to 28 CFR 42.302), that is approved by the Office of Civil Rights, is a violation of its Certified Assurances and may result in the suspension of the drawdown of funds.

If any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the findings to the OJP Office of Civil Rights.

Eligibility for Employment in the United States: Organizations funded through this Program must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used by the recipient of Federal funds to verify that persons employed by the recipient are eligible to work in the United States.

B. Financial Requirements for All Applicants

¹⁰ Section 504 of the Rehabilitation Act of 1973 prohibits identical discrimination on the basis of disability.

Grant Funds Must Supplement and Not Supplant: A written certification in the form of a letter to the Assistant Attorney General of the Office of Justice Programs from the applicant's authorizing official must be included in the application package *as an attachment faxed separately to both the Violence Against Women Office at 202/354-4185 and to 202/354-4147 by the deadline, attention: Grants to Encourage Arrest Program- Indian Tribal Government. All faxes also must be marked with the application number assigned by the GMS system.* Appendix H contains a sample nonsupplanting letter. The letter must certify that federal funds will be used to supplement existing funds for programs to combat violence against women and not replace funds that have been appropriated for the same purpose. For example, if a grantee, prior to submitting an application, had committed to develop and implement a program to combat violence against women, then the grantee must make those dollars available in addition to those requested under this Program. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring and audit. If there is a potential presence of supplanting, the applicant or grantee will be required to supply documentation demonstrating that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds. The nonsupplantation requirement applies only to State and local public agencies; it does not apply to nonprofit, nongovernmental victim services programs.;

Audit Requirement: Recipients who expend \$300,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accounting Office Government Auditing Standards.

Suspension or Termination of Funding: The Office of Justice Programs may suspend, in whole or in part, terminate funding for, or impose another sanction on a grantee for the following reasons:

- Failure to comply substantially with the requirements or statutory objectives of the Violent Crime Control and Law Enforcement Act of 1994, program guidelines issued thereunder, or other provisions of Federal law;
- Failure to make satisfactory progress toward the goals or strategies set forth in this application;
- Failure to adhere to the grant requirements, standard conditions or special conditions;
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding;
- Failure to submit reports; or
- Filing a false certification in this application or other report or document.

Before imposing sanctions, the Office of Justice Programs will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt informally to resolve the problem. Hearing and appeal procedures will follow those in Department of Justice regulations in 28 C.F.R. part 18.

Reporting Requirements

A. Progress Reports: Grantees are required to submit progress reports twice a year. These reports should be used to describe the performance of activities or the accomplishment of objectives as set forth in the approved award application. Progress reports must be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31 for the life of the award. OJP may opt, by special condition to the award, to combine the first report into the subsequent reporting period. For example, if the begin date on the award is June 1, OJP may opt to receive the first report 30 days after the December 31 reporting period.

B. Financial Status Reports: Financial status reports (SF 269a) are due quarterly on the 45th day following the end of each calendar quarter. A report must be submitted for every quarter the award is active even if there has been no financial activity during the reporting period.. The final report is due 120 days after the end date of the award.

Future awards will be withheld, and access to grant funds will be denied, if financial status reports are delinquent.

How to Apply

All Applicants for the fiscal year 2001 Grants to Encourage Arrest Policies and Enforcement of Protection orders should submit the following:

- Application for Federal Assistance (SF-424) found in Appendix D, SF-424 Instructions (note: the SF-424 form is included in this application for reference only, as it will be completed online through GMS). *See Appendix B.* The Catalog of Federal Domestic Assistance

number for this program is 16.590, and the title is Grants to Encourage Arrest Policies and Enforcement of Protection Orders (Block 10). The federal cognizant audit agency and fiscal year of the applicant organization should be listed in block 11 of the form. **As you are filling out the contact information, GMS will ask you if you are the “signing authority, you must list the authorizing official’s name and contact information.**

After you have completed the SF-424 and attached the project narrative and budget worksheets in GMS and received confirmation and an application number, please fax the following attachments to both 202-354-4185 and 202-354-4147. Be sure to reference your application number and the Program title.

- *Assurances (Form 4000/3) and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-free Workplace Requirement (Form 4061/6).* Review the enclosed forms. You will be agreeing to these assurances and certifications when you submit your application online through the Grants Management System. NOTE: If the authorizing official is not the individual submitting the application in the GMS system, be sure the correct authorizing official information has been entered. *See Forms at Appendix F and G.*
- Budget Detail Worksheet. (note: you will submit your budget and budget narrative online as an attachment.

When preparing your budget, please use the Budget Detail Worksheet as a guide and include all the required information and budget categories, as needed, in your online document). *See Appendix E*

- Nonbinding Letter of Intent. This letter should be faxed by March 7, 2001 to the Violence Against Women Office (202)354-4185.
- Letter of Nonsupplanting signed by the lead applicant. *See Appendix H.* A letter to the Assistant Attorney General of the Office of Justice Programs certifying that supplanting of nonfederal funds will not take place should a grant award be made must be faxed to 202-354-4147 and 202-354-4148. Be sure to reference your application number and program title.
- Memorandum of Understanding which must be created, signed and submitted by representatives from all the criminal justice agencies and nonprofit, nongovernmental domestic violence programs that will collaborate to plan, develop, and implement the proposed project via facsimile to both 202-354-4147 and 202-354-4185. For sample Memorandum of Understanding, *See Appendix C.*
- Certification letter signed by the chief executive officer of the jurisdiction, certifying that the jurisdiction has implemented, or plans to, implement mandatory or pro-arrest policies. Send a copy of the signed letter via facsimile to both 202-354-4147 and 202-354-4185.
- At least one letter of support from a nonprofit, nongovernmental victim services agency, or a letter from

community members.

Applications will be accepted immediately, but no later than March 28, 2001.

Please Note: You must register online at least two weeks prior to the application deadline. It may take up to one week for you to receive confirmation that you are eligible to apply.

APPENDIX A

Letter of Intent

Letter of Intent

Office of the Director
Violence Against Women Office
Office of Justice Programs
810 Seventh Street, NW
Washington, DC 20531

To Whom It May Concern:

I intend to apply for funds under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program of the Violence Against Women Office.

Organization: _____

Address: _____

Name: _____

Position: _____

Date: _____

Phone: _____

FAX: _____

E-mail: _____

Please FAX to 202/354-4185.
Please submit by March 7, 2000

APPENDIX B

Quick Start Guide

Quick-Start Guide to Using the Office of Justice Programs Online Grants Management System

- ◆ **Step 1.** Using your established Internet account,* go to **www.ojp.usdoj.gov/fundopps.htm**. An online **GMS Application Procedures Handbook** is available on this page, and you may link directly to OJP's Grants Management System (GMS), which will provide online "help" screens.
- ◆ **Step 2.** Select "**Logon to the Grants Management System (GMS)**" to apply for OJP grant funding.
- ◆ **Step 3.** If you have never used GMS, click on "**New User? Register Here**" and follow the on-screen instructions to register with GMS. After registration, you will receive confirmation through email that you are eligible to submit an application. Confirmation may take up to one week.

If you are not a new user and have a GMS password, click on "**Login.**" If your password has expired, you will receive an "Authentication Error" or "Unauthorized User" message. In this case, click on "Having Login Problems?" for assistance in updating your password.

Please Note: Applicants must ensure that the information for the authorizing official and alternate contact is entered correctly. The authorizing official is the individual authorized to accept grant funds in your organization (e.g., executive director, attorney general, governor). If the individual applying online is not the signing authority, that individual must list the authorizing official's name and contact information where appropriate.

- ◆ **Step 4.** To submit your application online, complete the on-screen *424/Application for Federal Assistance* and attach and upload your budget narrative (which should include your budget detail), program narrative, and other program attachments in either word processing or spreadsheet files. After submission, you will receive confirmation through email that VAWO has received your application and you will be given an application number for future reference. Documents that cannot be submitted electronically through GMS (e.g. MOU, nonsupplantation letter, letter(s) of support and certification of compliance) must be faxed to both (202) 354-4185 and (202) 354-4147. *You must include your GMS application number and the Program title of the VAWO program to which you are applying, the Grants to Encourage Arrest Program, on all materials submitted by fax.*

If you have any questions about GMS or need technical assistance with applying online, contact the **GMS Hotline at 1-888-549-9901**.

**If you do not have an Internet account, call the GMS Hotline at 1-888-549-9901 for assistance.*

APPENDIX C

Sample Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

(SAMPLE)

The Community Domestic Violence Program (CDVP) enters into a Memorandum of Understanding (MOU) with the Community Office of the Prosecuting Attorney (COPA).

History of Relationship

CDVP has been collaborating with COPA and other local agencies in the prevention, intervention and prosecution of domestic violence for many years. Beginning in 1988, the Director of CDVP and the COPA met monthly with representatives from other agencies as part of a Violence Intervention Task Force. In 1991, a smaller subcommittee of the larger task force began to meet separately to lay the ground work for a comprehensive, ongoing, coordinated response to domestic violence. The Community Assault Intervention Program (CAIP) is the product of these efforts. Since 1993, when the program was implemented, CAIP members have met on a regular basis to discuss more effective strategies for domestic violence prevention, intervention, prosecution and sentencing of batterers. The group is comprised of representatives from local law enforcement, prosecution, members from the CDVP, the judiciary, local counselors and therapists, student interns, court staff, and others who are interested and involved in these efforts.

Another example of the collaborative activities between CDVP and COPA is one that is ongoing. CDVP first received a STOP Violence Against Women Formula Grant in 1996 and established an Outreach Worker position to assist victims in the District Court. This position was in place prior to the COPA receiving the VAWA Grants to Encourage Arrest Policies grant, and formation of its Family Intervention Services Team (FIST). After FIST was formed, COPA and CDVP collaborated to meet victim needs. CDVP has dedicated a portion of one of its Outreach Worker's time to working with the COPA in addressing ongoing victim safety issues before and during trial.

Development of the Application

Discussions regarding the collaborative effort which is proposed in the application and detailed in this Memorandum began in earnest in February, 1998. An early meeting between the Director of CDVP (Director) and the Unit Leader of the COPA Domestic Violence Unit (Unit Leader) was to exchange basic information about the proposed safety program. The concept was later brought to CAIP for discussion, input and recommendations. A

subcommittee from CAIP, of which the Unit Leader and Director are members, was formed to discuss specific guidelines for implementation of the safety program. The Director thereafter conducted an independent study of similar safety programs in other jurisdictions. Recent meetings between the Director and Unit Leader have led to the agreement reflected in this Memorandum and the submission of the grant application to fund this collaborative effort.

Roles and Responsibilities

Office of the Prosecuting Attorney

- ! The FIST Unit Leader will provide co-leadership with the Director of the CDVP for all non-administrative duties related to the implementation of the safety program offered through AAA Security Services, Inc.**
- ! Pay CDVP \$24,000 (or \$2,000/month) for providing the following services and/or as compensation for the following expenses:**
 - ! Salary paid to the Director for administration of the safety program;**
 - ! Salary paid to the Outreach Worker assigned to implement the safety program;**
 - ! Mileage reimbursement for necessary travel; and,**
 - ! Telephone charges.**
- ! The FIST Unit Leader will participate as a member in the Program Review Committee, which will meet periodically to establish specific procedures and guidelines, review eligibility criteria and serve as a resource for the Outreach Worker and Director as questions/problems arise.**
- ! Refer domestic violence victims to the program Outreach Worker for a determination regarding eligibility.**
- ! Promote training/education of local law enforcement agencies and COPA staff regarding the program.**

Community Domestic Violence Program

- a. The Director of CDVP will provide co-leadership with the FIST Unit Leader for all non-administrative duties related to the**

implementation of the safety program offered through AAA Security Services.

- b. **Furnish an Outreach Worker 10 hours weekly to implement the Program. Specific duties:**
 - a. **Act as a single point of contact for police agencies, COPA and AAA representatives;**
 - b. **Determine eligibility for program participation based on established criteria;**
 - c. **Make necessary arrangements for security device placement and retrieval;**
 - d. **Conduct follow up with victims as recommended by Review Committee; and**
 - e. **Submit reports as recommended by Review Committee.**
- c. **The DAP Director will participate as a member in the Program Review Committee.**
- d. **Submit documentation for financial accounting as needed.**
- e. **Provide office space for the Outreach Worker as well as office supplies necessary for safety program administration.**

Time Line

The roles and responsibilities described above are contingent on the COPA receiving the funds requested for this project in the VAWA grant application. The beginning and end dates of this collaborative effort would coincide with the grant period, anticipated to be October 1, 2001 through September 30, 2002.

Approval

We, the undersigned have read and agree with this MOU. Further, we have reviewed the portion of the proposed project budget pertaining to the collaborative effort described here, and approve it.

By_____

Prosecuting Attorney

Date_____

By_____

**Director, Community
Domestic Violence
Program**

Date_____

APPENDIX D

Standard Application Form (Form SF-424)

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: <i>Application</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
		3. DATE RECEIVED BY STATE		State Application Identifier	
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier			

5. APPLICANT INFORMATION					
Legal Name:			Organizational Unit:		
Address (give city, county, state and zip code):			Name and telephone number of the person to be contacted on matters involving the application (give area code)		
6. EMPLOYER IDENTIFICATION (EIN) <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>			7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/>		
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____			A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private Industry K. Indian Tribe L. Individual M. Profit Organization N. Other (specify): _____		
			9. NAME OF FEDERAL AGENCY:		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>			11. DESCRIPTIVE TITLE OF APPLICANTS PROJECT:		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):					

13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project

15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATIN WAS MADE A VALUABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
a. Federal	\$ _____ .00	
b. Applicant	\$ _____ .00	
c. State	\$ _____ .00	
d. Local	\$ _____ .00	
e. Other	\$ _____ .00	
f. Program Income	\$ _____ .00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No
g. TOTAL	\$ _____ .00	

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED		
a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Instructions for Completion of the Application for Federal Assistance (SF 424)

The Application for Federal Assistance is a standard form used by most federal agencies. This form contains 18 different items which are to be completed before submission. All applications should include a completed and signed SF 424.

Item	Instructions
1	Type of Submission: If this proposal is not for construction or building purposes, check the "Non-Construction" box in the application section.
2	Date Submitted: Indicate the date you sent the application to OJP. The "Application Identifier" is the number assigned by your jurisdiction, if any, to track applications. If your jurisdiction does not assign an identifier number, leave this space blank.
3	Date Received by State: Leave blank. This item is completed by the State single point of contact, if applicable.
4	Date Received by Federal Agency: Leave blank. This item will be completed by OJP.
5	Applicant Information: The "Legal Name" is the unit of government of the parent organization. For example, the primary or parent organization of a law enforcement agency is the name of the city or township. Thus the city or township should be entered into the Legal Name box and the name of the law enforcement agency would be entered into the Organizational Unit box. Designate one person as the contact and include their telephone number. It is not unusual for the name of the contact person to differ from the authorized representative in Item 18 below.
6	Employer Identification Number: Each employer receives an employer identification number from the Internal Revenue Service. Generally, this number can be easily obtained from your agency's accountant or comptroller.
7	Type of Applicant: Enter the appropriate letter in this space. If the applicant is representing a consortium of agencies, specify by checking Block N and entering "consortium".
8	Type of Application: Check either "new" or "continuation". Check "new", if this will be your first award for the purpose described in the application, even if the applicant has received prior awards for other purposes. Check "continuation", if the project will continue activities of a project, including minor modifications, or implement the next phase of a project that was begun under a prior award.
9	Name of Federal Agency: Type in the name of the awarding agency, "[insert agency name]"
10	Catalog of Federal Domestic Assistance Number: This would be contained in the program announcement. The number for this program would be [insert number].
11	Descriptive Title of Applicant's Project: Type in the: (1) title of the program as it appears in the solicitation or announcement; (2) name of the cognizant Federal agency, ex. U.S. Department of Education; and (3) applicant's fiscal year, i.e. twelve month audit period, ex. 10/1/97 - 9/30/98.
12	Areas Affected by Project: Identify the geographic area(s) of the project. Indicate "Statewide" or "National", if applicable.
13	Proposed Project Dates: Fill in the proposed begin and end dates of the project. These dates may be adjusted by the Office of Justice Programs when the award is made.
14	Congressional Districts: Fill in the Congressional Districts in which the project will be located as well as the Congressional District(s) the project will serve. Indicate "Statewide" or "National", if applicable.
15	Estimated Funding: In line "a", enter the Federal funds requested, not to exceed the dollar amount allocated in the program announcement. Indicate any other resources that will be available to the project and the source of those funds on lines "b-f," as appropriate.
16	State Executive Order 12372: Some states require you to submit your application to a State "Single Point of Contact" (SPOC) to coordinate applications for Federal funds within the state. If your State requires a copy of your application, indicate the date submitted. If a copy is not required, indicate the reason. (Refer to the "Administrative Requirements" section of the program announcement, for more information.) The SPOC is not responsible for forwarding your application to the Federal awarding agency.

17	Delinquent Federal Debt: This question applies to the applicant organization. Categories of debt include delinquent audit allowances, loans, and taxes.
18	Authorized Representative: Type in the name of the person legally authorized to enter into agreements on behalf of your agency. The signature on the original application must be signed in blue ink and/or stamped as "original" to help distinguish the original from the photocopies.

APPENDIX E

Budget Detail Worksheet and Sample Budget

OMB Approval No. 1121-0188
Expires 5-98
(Rev. 12/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
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TOTAL _____

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

<u>Name/</u>	<u>Position</u>	<u>Computation</u>	<u>Cost</u>	
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TOTAL _____

Total Personnel & Fringe Benefits _____

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, to field interviews, to advisory group meeting). Show the basis of computation (e.g., six people to 3- day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of travel policies applied: applicant's or federal travel regulations.

Purpose of Travel Location Item Computation Cost

TOTAL _____

D. Equipment - List nonexpendable items that are to be purchased (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item Computation

Cost

TOTAL _____

E. Supplies - List items by type (e.g., office supplies, postage, training materials, copying paper, and other expendable items, such as books and hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items Computation Cost

TOTAL _____

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the program office before budgeting funds in this category.

Purpose

Description of Work

Cost

TOTAL _____

G. Consultants/Contractors - Indicate whether applicant's formal, written procurement policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
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Subtotal _____

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to his or her fees (i.e., travel, meals, lodging)

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
-------------	-----------------	--------------------	-------------

Subtotal _____

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

<u>Item</u>	<u>Cost</u>
-------------	-------------

Subtotal _____

TOTAL _____

H. Other Costs - List items (e.g., rent, document reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

I. Indirect Costs - Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. A copy of the rate approval (a fully executed, negotiated agreement) must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of federal funds requested and the amount of nonfederal funds that will support the project.

<u>Budget Category</u>	<u>Amount</u>
------------------------	---------------

A. Personnel	_____
B. Fringe Benefits	_____
C. Travel	_____
D. Equipment	_____
E. Supplies	_____
F. Construction	_____
G. Consultants/Contracts	_____
H. Other	_____
Total Direct Costs	_____
I. Indirect Costs	_____
TOTAL PROJECT COSTS	_____

Federal Request	_____
Nonfederal Amount	_____

SAMPLE

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

(Example assumes an 12 month budget period.)

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
Ellen Smith, Investigator	$(\$50,000 \times 100\% \times 1)$	\$50,000
2 advocates	$(\$50,000 \times 100\% \times 1 \times 2)$	\$100,000
Administrative Assistant	$(\$40,000 \times 50\% \times 1)$	<u>\$20,000</u>
		\$170,000
Cost of living increase	$(\$170,000 \times 2\% \times .5\text{yr.})$	\$1,700
Overtime per investigator	$(\$37.5/\text{hr} \times 100 \text{ hrs})$	\$3,750

The investigator and the advocates will be assigned exclusively to domestic violence unit. A half-time secretary will prepare reports and provide other support to the unit. A 2% cost of living adjustment is scheduled for all personnel 6-months prior to the end of the grant. Overtime will be needed during some investigations.

TOTAL \$175,450

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>	
Investigator & 2 Advocates			-
Employer's FICA	\$171,700 x 7.65%	\$13,135	
Retirement	\$171,700 x 6%	\$10,302	
Health Insurance	\$171,700 x 12%	\$20,604	
Workman's Compensation	\$171,700 x 1%	\$ 1,717	
Unemployment Compensation	\$171,700 x 1%	\$ 1,717	
Investigator Overtime			
FICA	\$3,750 x 7.65%	\$ 287	
Workman's Compensation	\$3,750 x 1%	\$ 38	
Unemployment Compensation	\$3,750 x 1%	\$ 38	
TOTAL		<u>\$47,838</u>	

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3- day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved, Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Training	Minneapolis	Airfare	(\$150 x 2 people x 2 trips)	\$ 600
		Hotel	(\$75/night x 2 nights x 2 people x 2 trips)	\$ 600
		Meals	(\$35/day x 3 days x 2 people x 2 trips)	\$ 420

The two advocates will attend training on domestic violence in Minneapolis in October.

\$10,000 OJP-designated Technical Assistance (Locations unknown at this time)

1 trip, Investigator	Airfare	(1 x \$525)	\$ 525
	Lodging	(\$75/night x 4 nights)	\$ 300
	Per Diem	(\$35/day x 5 days)	\$ 175
3 trips, Investigator & 2 Advocates	Airfare	(3 persons x 3 trips x \$525)	\$

Lodging	(3 persons x 3 trips x \$75/night X 4 nights)	4,725 \$ 2,700
Per Diem	(3 persons x 3 trips x \$35/day X 5 days)	\$ 1,575

The organization's established travel policies will be utilized.

TOTAL

\$11,620

D. Equipment -List non-expendable items that are to be purchased (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
3 - Pentium III Processor	(\$2,000 x 3)	\$6,000
Video Camera		\$1,000

The computers will be used by the investigator and the advocates to analyze case and intelligence information. The camera will be used for investigative and crime scene work.

TOTAL \$7,000

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
Office Supplies	(\$50/mo x 12 mo)	\$ 600
Postage	(\$20/mo x 12 mo)	\$ 240
Training Materials	(\$2/set x 500 sets)	\$1,000

Office supplies and postage are needed for general operation of the program. Training materials will be developed and used by the investigators to train patrol officers how to preserve crime scene evidence.

TOTAL \$1,840

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable, Consult with the program office before budgeting funds in this category.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
		TOTAL <u>0</u>

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
Jane Doe	Domestic Violence Trainer	(\$150/day x 30 days)	\$4,500

Jane Doe, Domestic Violence Trainer, will be hired, as needed, to assist with the education of the local law enforcement officers and the court personnel.

Subtotal \$4,500

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging etc.)

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
Airfare	San Diego	\$400 x 6 trips	\$2,400
Hotel and Meals		(\$100/day x 30 days)	\$3,000

Jane Doe is expected to make up to 6 trips to provide training and technical assistance to the project.

Subtotal \$5,400

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost, Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

<u>Item</u>	<u>Cost</u>
Not applicable	Subtotal <u>0</u>

TOTAL \$9,900

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
Rent	(700 sq. ft. x \$15/sq. Ft.) (\$875 mo. x 12 mo.)	\$10,500

This rent will pay for space for the domestic violence unit. No space is currently available in city owned buildings.

Telephone	(\$100/mo. x 12)	\$1,200
Printing/Reproduction	(\$150/mo. x 12)	\$1,800
Renovation	Add walls	\$5,000
	Build work tables	\$3,000
	Build evidence storage units	\$2,000

The renovations are needed to upgrade the forensic lab used to analyze evidence for homicide cases.

TOTAL \$23,500

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
		TOTAL <u>0</u>

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

<u>Budget Category</u>	<u>Amount</u>
A. Personnel	\$ <u>175,450</u>
B. Fringe Benefits	\$ <u>47,838</u>
C. Travel	\$ <u>11,620</u>
D. Equipment	\$ <u>7,000</u>
E. Supplies	\$ <u>1,840</u>
F. Construction	\$ <u>0</u>
G. Consultants/Contracts	\$ <u>9,900</u>
H. Other	\$ <u>23,500</u>
Total Direct Costs	\$ <u>277,148</u>
I. Indirect Costs	\$ <u>0</u>
TOTAL PROJECT COSTS	\$ <u>277,148</u>
Federal Request	\$ <u>277,148</u>
Non-Federal Amount	\$ <u>NA</u>

APPENDIX F

**Assurances
(Form 4000/3)**

ASSURANCES

The Applicant hereby assures and certifies compliance with all Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-110, A-122, A-128, A-87; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements—28 CFR, Part 66, Common rule, that govern the application, acceptance and use of Federal funds for this federally-assisted project. Also the Applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information may be required.
2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.
3. It will comply with provisions of Federal law which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)
4. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act
5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
6. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
7. It will comply with all requirements imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
8. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
9. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
- ! It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of Investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
11. It will comply, and assure the compliance of all its subgrantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable Federal laws, orders, circulars, or regulations.
12. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
13. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.
14. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.

16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System. .

OJP FORM 4000/3 (Rev. 1-93) PREVIOUS EDITIONS ARE OBSOLETE
ATTACHMENT TO SF-424

APPENDIX G

**Certifications Regarding Lobbying, Debarment, Suspension
and Other Responsibility Matters; and Drug-Free Workplace
Requirements
(Form 4061/6)**



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUGFREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510, -

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local)

transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUGFREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the DrugFree Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 —

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drugfree awareness program to inform employees about —

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drugfree workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620 —

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post award	3. Report type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ Quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, <i>if known</i> Congressional District, <i>if known</i> :		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, <i>if known</i> :
6. Federal Department/Agency: 	7. Federal Program Name/Description: CDFA Number, <i>if applicable</i> : _____	
8. Federal Action Number, <i>if known</i>:	9. Award Amount, <i>if known</i>: \$ _____	
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI) 	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI) 	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of the fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identifying the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
- b. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001".
9. For a covered Federal action where there has been an award or loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI)>
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046); Washington, D.C. 20503.

APPENDIX H

Sample Non-Supplanting Letter

SAMPLE

[Applicant Letterhead]

[date]

Acting Assistant Attorney General
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

Dear:

[Applicant] certifies that any funds awarded through the Grants to Encourage Arrest Policies and Protection Order Enforcement program will be used to supplement existing funds for program activities and will not replace (supplant) nonfederal funds that have been appropriated for the purpose of providing legal assistance and legal advocacy to domestic violence victims. The [name of applicant] understands that supplanting violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Sincerely,

[Applicant's Authorizing Official]

APPENDIX I

Single Points of Contact

INTERGOVERNMENTAL REVIEW PROCESS

Executive Order 12372 requires applicants from State and local units of government or other organizations providing service within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. You must contact your State SPOC to find out if this program has been selected for review by your State.

In accordance with Executive Order #12372, "Intergovernmental Review of Federal Programs," Section 4, the Office of Management and Budget (OMB) shall maintain a list of official State entities designated by the States to review and coordinate proposed Federal financial assistance and direct Federal development. This listing is the OFFICIAL OMB LISTING. This listing is also published in the Catalogue of Federal Domestic Assistance biannually.

States that are not listed no longer participate in the intergovernmental review process but MAY still apply for grants. These include: Alaska; American Samoa; Colorado; Connecticut; Kansas; Hawaii; Idaho; Louisiana; Massachusetts; Minnesota; Montana; Nebraska; Oklahoma; Oregon; Pennsylvania; South Dakota; Tennessee; Virginia; and Washington. This list is based on the most current information provided by the States. Changes to the list will only be made upon formal notification by the State.

ARIZONA

Joni Saad
Arizona State Clearinghouse
3800 N. Central Avenue
Fourteenth Floor
Phoenix, Arizona 85012

Telephone (602) 280-1315
FAX: (602) 280-1305

ARKANSAS

Mr. Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services, Department
of Finance and Administration
1515 W. 7th St., Room 412
Little Rock, Arkansas 72203

Telephone: (501) 682-1074
FAX: (501) 682-5206
tlcopeland@dfa.state.ar.us

CALIFORNIA

Grants Coordinator
Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, California 95814

Telephone (916) 323-7480
FAX (916) 323-3018

DELAWARE

Francine Booth
State Single Point of Contact
Executive Department
Thomas Collins Building

P.O. Box 1401
Dover, Delaware 19903

Telephone: (302) 739-3326
FAX: (302) 739-5661
fbooth@state.de.us

DISTRICT OF COLUMBIA

Charles Nichols
State Single Point of Contact
Office of Grants Mgmt. & Development.
717 14th Street, N.W. - Suite 500
Washington, D.C. 20005

Telephone: (202) 727-6554
FAX: (202) 727-1617

FLORIDA

Florida State Clearinghouse
Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100

Telephone: (904) 922-5438
FAX: (904) 487-2899
cherie.trainor@dcs.state.fl.us

GEORGIA

Deborah Stephens
Administrator
Georgia State Clearinghouse
254 Washington Street, S.W. - Room 401J
Atlanta, Georgia 30334

Telephone: (404) 656-3855 or
FAX: (404) 656-7901

ssda@mail.opb.state.ga.us

ILLINOIS

Virginia Bova
State Single Point of Contact
Department of Commerce and Community Affairs
620 East Adams
Springfield, Illinois 62701

Telephone: (217) 814-6028
FAX: (217) 814-1800

INDIANA

Frances Williams
State Budget Agency
212 State House
Indianapolis, Indiana 46204

Telephone: (317) 232-2972
FAX: (317) 233-3323

IOWA

Steven R. McCann
Division for Community Assistance, Iowa
Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309

Telephone: (515) 242-4719
FAX: (515) 242-4859
steve.mccann@ided.state.ia.us

KENTUCKY

Kevin J. Goldsmith, Director
Sandra Brewer, Executive Secretary
Intergovernmental Affairs
Office of the Governor
700 Capitol Center Avenue
Frankfort, Kentucky 40601

Telephone: (502) 564-2611
FAX: (502) 564-2849
sbrewer@mail.state.ky.us

MAINE

Joyce Benson
State Planning Office
184 State Street
38 State House Station
Augusta, Maine 04333

Telephone: (207) 287-3261
FAX: (207) 287-6489
joyce.benson@state.me.us

MARYLAND

Linda Janney, Manager
Plan and Project Review
Maryland Office of Planning
301 W. Preston Street - Room 1104
Baltimore, Maryland 21201-2365

Telephone: (410) 767-4490
FAX: (410) 767-4480
linda@mail.op.state.md.us

MICHIGAN

Richard Pfaff
Southeast Michigan Council of Governments
1900 Edison Plaza
660 Plaza Drive
Detroit, Michigan 48226

Telephone: (313) 961-4266
FAX: (313) 961-4869
pfaff@semcog.org

MISSISSIPPI

Cathy Mallette
Clearinghouse Officer
Department of Finance and Administration
455 North Lamar Street
Jackson, Mississippi 39202-3087

Telephone: (601) 359-6762
FAX: (601) 359-6764

MISSOURI

Lois Pohl
Federal Assistance Clearinghouse
Office Of Administration
P.O. Box 809
Room 760, Truman Building
Jefferson City, Missouri 65102

Telephone: (314) 751-4834
FAX: (314) 751-7819

NEVADA

Department of Administration
State Clearinghouse
Capitol Complex
Carson City, Nevada 89710

Telephone: (702) 687-4065
FAX: (702) 687-3983
Contact: Heather Elliot
(702) 687-6367
helliot@govmail.state.nv.us

NEW HAMPSHIRE

Jeffrey H. Taylor
Director, New Hampshire Office of State Planning
Attn: Intergovernmental Review Process
Mike Blake
2 ½ Beacon Street
Concord, New Hampshire 03301

Telephone: (603) 271-2155
FAX: (603) 271-1728

NEW MEXICO

Nick Mandell
Local Government Division
Room 201 Bataan Memorial Building
Santa Fe, New Mexico 87503

Telephone: (505) 827-3640
FAX (505) 827-4984

NEW YORK

New York State Clearinghouse
Division of the Budget
State Capitol
Albany, New York 12224

Telephone: (518) 474-1605
FAX (518) 486-5617

NORTH CAROLINA

Jeanette Furney (Grants)
Chrys Baggett (Environment)
N.C. State Clearinghouse
Office of the Secretary of Administration.
116 West Jones Street
Raleigh, North Carolina 27603-8003

Telephone: (919) 733-7232
FAX: (919) 733-9571

NORTH DAKOTA

North Dakota Single Point of Contact
Office of Intergovernmental Assistance
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0170

Telephone: (701) 224-2094
FAX: (701) 224-2308

OHIO

Larry Weaver
State Single Point of Contact
State Clearinghouse
Office of Budget and Management
30 East Broad Street, 34th Floor
Columbus, Ohio 43266-0411
*Please direct correspondence and questions about
intergovernmental review to:*
Linda Wise
Telephone: (614) 466-0698
FAX: (614) 466-5400

RHODE ISLAND

Kevin Nelson
Review Coordinator
Department of Administration
Division of Planning
One Capitol Hill, 4th Floor
Providence, Rhode Island 02908-5870

Telephone: (401) 222-2280
FAX: (401) 222-2083

SOUTH CAROLINA

Rodney Grizzle
State Single Point of Contact
Budget and Control Board
Office of the Governor
1122 Ladies Street - 12th Floor
Columbia, South Carolina 29201

Telephone: (803) 734-0485
FAX: (803) 734-0645
agrizzle@budget.state.sc.us

TEXAS

Tom Adams
Governors Office
Director, Intergovernmental Coordination
P.O. Box 12428
Austin, Texas 78711

Telephone: (512) 463-1771
FAX: (512) 463-1888
tadams@governor.state.tx.us

UTAH

Carolyn Wright
Utah State Clearinghouse
Office of Planning and Budget
Room 116 State Capitol
Salt Lake City, Utah 84114

Telephone: (801) 538-1535
FAX: (801) 538-1547
cwright@state.ut.us

WEST VIRGINIA

Fred Cutlip, Director
West Virginia Development Office
Building #6, Room 645
State Capitol
Charleston, West Virginia 25305

Telephone: (304) 558-0350
FAX: (304) 558-0362
fcutlip@wvdo.org

WISCONSIN

Jeff Smith, Section Chief
State/Federal Relations
Wisconsin Department of Administration
101 East Wilson Street - 6th Floor
P.O. Box 7868
Madison, Wisconsin 53707

Telephone: (608) 266-0267
FAX: (608) 267-6931
sjt@mail.state.wi.us

WYOMING

Sandy Ross
State Single Point of Contact
Department of Administration and Information
2001 Capitol Avenue, Room 214
Cheyenne, WY 82002

Telephone: (307) 777-5492
FAX: (307) 777-3696
srossl@missc.state.wy.us

TERRITORIES

GUAM

Joseph Rivera, Acting Director
Bureau of Budget and Management Research
Office of the Governor

P.O. Box 2950
Agana, Guam 96910

Telephone: 011-671-475-9411
FAX: 011-671-472-2825

PUERTO RICO

Jose Cabellero-Mercado
Chairman
Puerto Rico Planning Board
Federal Proposals Review Office
Minillas Government Center
P.O. Box 41119
San Juan, Puerto Rico 00940-1119

Telephone: (809) 727-4444 or
(809) 723-6190
FAX: (809) 724-3270 or

NORTH MARIANA ISLANDS

Alvaro A. Santos, Executive Officer
Office of Management and Budget
Office of the Governor
Saipan, MP 96950

Telephone: (670) 664-2256
FAX: (670) 664-2272
Contact person: Ms. Jacoba T. Seman
Federal Programs Coordinator

Telephone: (670) 664-2289
FAX: (670) 664-2272

VIRGIN ISLANDS

Nellon Bowry
Director, Office of Management and Budget
#41 Norregade Emancipation Garden
Station
Second Floor
Saint Thomas, Virgin Islands 00802

*Please direct all questions and correspondence
about intergovernmental review to:*

Daisey Millen
Telephone: (809) 774-0750
FAX: (809) 776-0069